# THE UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF OHIO

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	IN RE:	) CHAPTER 13 ) CASE NO: 17-52365
	CAROL MANUEL  DEBTOR(S)	) CASE NO. 17-32363 ) ) ALAN M. KOSCHIK ) BANKRUPTCY JUDGE ) ) TRUSTEE'S MOTION TO DISMISS AS 341 ) FIRST MEETING OF CREDITORS CANNOT ) BE CONCLUDED AND 30 DAY OBJECTION ) PERIOD
	Now comes Keith L. Rucinski, the Chapter 13 Trustee, and hereby moves this Court for an order of dismissal pursuant to 11 USC § 1307 (c)(1) and Rule 4002. The Debtor(s) failure to timely supply necessary information has hindered the Trustee's ability to administer the case and has caused unnecessary delay by the Debtor(s) which is prejudicial to creditors as the Debtor(s) is enjoying the automatic stay provided by 11 USC § 362 while hindering repayment to creditors by failing to provide necessary information to conclude the 341 meeting. Until the 341 meeting is concluded the Trustee cannot recommend the case for confirmation. Creditors cannot be paid until the case is confirmed by the Court.	
CHAPTER 13 Keith L. Rucinski Trustee One Cascade Plaza, Suite 2020 Akron, OH 44308 (330)762-6335 Fax (330)762-7072	On <b>10/03/2017</b> , the above named Debtor(s) filed a petition for relief under Chapter 13 of the bankruptcy code.	
	The original date for the First Meeting of Creditors was 11/09/2017, and has been adjourned several times because the Debtor(s) and attorney for the Debtor(s) have failed to supply the Trustee with certain required information. The Debtor(s) and attorney for the Debtor(s) were instructed to provide the following information to the Trustee.	
	Tax ReturnsProo	f of auto insurance
	Financial StatementsProo	f of homeowners insurance
	Chapter 13 PaymentX_SeePay stubs	Below for issues regarding Chapter 13 Plan
	-PLAN IS NOT FEASIBLE - NEED PAYMENTS OF \$1727 PER MONTH -AMEND PLAN TO STATE 2007 FORD ESCAPE IS BEING SURRENDERED TO CAR FINANCIAL	
	WHEREFORE, the Chapter 13 Trustee hereby moves this Court for an order of dismissal of the above Chapter 13 case for all the reasons stated herein.	
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## **NOTICE**

Pursuant to 11 USC § 102, unless a party in interest requests a hearing on this pleading, the Court may grant the relief requested without a hearing or further notice.

Parties that want to be heard on this matter must file a response to this pleading within 30 days from the date in the below certificate of service.

The response must be filed with the US Bankruptcy Court at:

US Bankruptcy Court 2 South Main Street 455 John F. Seiberling Federal Building Akron, Ohio 44308-1810

In addition to filing a response with the Court, parties requesting a hearing must serve all parties in the below certificate of service either through the mailing address provided or, where applicable, by the Court's Electronic Filing System (ECF).

Respectfully submitted,

### /s/ Keith L. Rucinski

Keith L. Rucinski, Chapter 13 Trustee Ohio Reg. No. 0063137 Joseph A. Ferrise, Staff Attorney Ohio Reg., No 0084477 One Cascade Plaza, Suite 2020 Akron, OH 44308 Tel 330.762.6335 Fax 330.762.7072 krucinski@ch13akron.com jferrise@ch13akron.com

#### **CHAPTER 13**

Keith L. Rucinski Trustee One Cascade Plaza, Suite 2020 Akron, OH 44308 (330)762-6335 Fax (330)762-7072

## **CERTIFICATE OF SERVICE**

I hereby certify that on 03/22/2018, the following were served a copy of this pleading:

Via Regular Mail

CAROL MANUEL 1885 RIDGE MEADOW CT TWINSBURG, OH 44087

Via ECF

RICK S PLUMA, ESQ (RPLUMA@OHIOLEGALCLINIC.COM) Office of the US Trustee (ustpregion09.cl.ecf@usdoj.gov) Keith L. Rucinski. Chapter 13 Trustee (krucinski@ch13akron.com)

Date of Service: 03/22/2018 By: H. Byler

Office of the Chapter 13 Trustee

### CHAPTER 13 Keith L. Rucinski Trustee

Trustee One Cascade Plaza, Suite 2020 Akron, OH 44308 (330)762-6335 Fax (330)762-7072